

**CITY COUNCIL
ATLANTA, GEORGIA**

13.3

11-O-0692/U-11-16 AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-28.023 (2)(C)(3) AND SECTION 16-28.027 (3)(C) OF THE CITY OF ATLANTA ZONING ORDINANCE FOR A TRANSFER OF EXCESS DEVELOPMENT RIGHTS. SAID USE IS GRANTED TO ATLANTA BELTLINE, INC. (RECIPIENT PARCEL) ITS SUCCESSORS, ASSIGNS AND ALL SUBSEQUENT OWNERS AND ARE TO BE TRANSFERRED FROM THE 544 NORTH ANGIER AVENUE, NE (DONOR PARCEL). (REFERRED BACK BY FULL COUNCIL 7/18/11) (AMENDED AND HELD 7/27/11)

Review List:

Office of Research and Policy Analysis	Skipped	
Zoning Committee	Completed	05/09/2013 3:25 PM
Zoning Staff	Skipped	
Office of Research and Policy Analysis	Skipped	
Atlanta City Council	Completed	05/15/2013 2:21 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	

HISTORY:

05/01/13 Zoning Committee **HELD IN COMMITTEE** Next: 05/15/13

RESULT:	HELD IN COMMITTEE [UNANIMOUS]	Next: 5/15/2013 9:30 AM
AYES:	Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.	

05/06/13 Atlanta City Council

05/15/13 Zoning Committee **APPROVED AS AMENDED**

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
AYES:	Wan, Bottoms, Shook, Smith, Young Jr.
ABSENT:	Joyce Sheperd

Certified by Presiding Officer	Certified by Clerk
<p style="text-align: center;">Mayor's Action</p> <p style="text-align: center;"><i>See Authentication Page Attachment</i></p>	

**ORDINANCE
BY ZONING COMMITTEE**

11-O-0692/U-11-16 AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-28.023 (2)(C)(3) AND SECTION 16-28.027 (3)(C) OF THE CITY OF ATLANTA ZONING ORDINANCE FOR A TRANSFER OF EXCESS DEVELOPMENT RIGHTS. SAID USE IS GRANTED TO ATLANTA BELTLINE, INC. (RECIPIENT PARCEL) ITS SUCCESSORS, ASSIGNS AND ALL SUBSEQUENT OWNERS AND ARE TO BE TRANSFERRED FROM THE 544 NORTH ANGIER AVENUE, NE (DONOR PARCEL). (REFERRED BACK BY FULL COUNCIL 7/18/11) (AMENDED AND HELD 7/27/11)

'City Council
Atlanta, Georgia

11-0-0692

AN AMENDED ORDINANCE BY: ZONING COMMITTEE
U-11-16

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16.28.023 (2)(c)(3) and Section 16-28.023 (3)(c) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit is granted for a Transfer of Excess Development Rights. Said use is granted to Atlanta Beltline, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from the 544 North Angier Avenue, N. E. (Donor Parcel)., to wit:

OWNERS: ATLANTA BELTLINE, INC. (RECIPIENT)
544 NORTH ANGIER AVENUE, N.E. (DONOR PARCEL) APPLICANT:
ATLANTA BELTLINE, INC.

Sending Property (544 North Angier Avenue):

- Net lot area: 39,845 s.f. (0.915 acres)
- Maximum non-residential FAR allowed: 4.0 times net lot area= 159,380 s.f.
- Maximum residential FAR allowed: 3.2 times net lot area= 127,504 s.f.
- Total development rights to be transferred:
 - Non-residential square footage= 159,380 s.f
 - Residential square footage= 127,504 s.f.

- Total development rights to be retained on sending parcel= zero s.f.

Recipient (Atlanta BeltLine, Inc):

- Total development rights to be received:
- Non-residential square footage= 159,380 s.f.
- Residential square footage= 127,504 s.f.

ALL THAT TRACT or parcel of land lying and being in the following Land Lots and District of Fulton County as described below and by the attached legal description and/or survey:

Donor Parcel is located in Land Lot 18, District 14.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.